IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

Bail Appl..No. 7519 of 2006()

AGAINST THE ORDER DATED 24/11/2006 IN ORDER IN
CMP.7533/2006 of J.M.F.C., KAYAMKULAM
OR 235/06 of Excise Range Office, Mavelikkara

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: PETITIONER/ACCUSED

BABU, AGED 40 YEARS,
S/O.VASU, PANAYIL VADAKKETHIL,
BHARANIKKAVU, THEKKUM MURI,
KATTANAM VILLAGE, MAVELIKKARA TALUK.

BY ADV. SRI.K.JAYARAJ

RESPONDENT: COMPLAINANT

KERALA STATE,
REP. BY EXCISE INSPECTOR, EXCISE RANGE OFFICE,
MAVELIKKARA, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.7519 of 2006

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Dated this the 20th day of December, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in O.R.No.235/06 of Excise Range Office, Mavelikkara for offences punishable under Sec. 8(1) and (2) of the Abkari Act for having been found in possession of 10 liters of illicit arrack, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Kayamkulam and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

ess 20/12